

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHANNON McDONALD,

Plaintiff,

v.

UAW-GM CENTER FOR HUMAN
RESOURCES,

Defendant.

Case No. 15-12619

Honorable John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

Plaintiff Shannon McDonald recently filed a four-count complaint in this court, alleging the following causes of action: Count I, violations of Title II of the Americans with Disabilities Act ("ADA"); Count II, violations of Michigan's Persons with Disabilities Civil Rights Act ("PWDCRA"); Count III, retaliation under the ADA; and Count IV, retaliation under the PWDCRA.

Although Counts I and III are cognizable in this court pursuant to 28 U.S.C. § 1331, the allegations presented in Counts II and IV are based solely on state law. The parties to this action are not diverse. Therefore, this court declines to exercise supplemental jurisdiction over Plaintiff's state law claims to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

ORDER

It is hereby **ORDERED** that Counts II and IV are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: August 18, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, August 18, 2015, using the ECF system.

s/William Barkholz
Case Manager